

**UN Sub-Commission on Prevention of Discrimination and  
Protection of Minorities  
Working Group on Indigenous Populations  
17<sup>th</sup> Session  
26-30 July 1999  
AGENDA ITEM 5: Land Rights**

Statement of Mr Rupayan Dewan, Member, Central Committee, Jana Samhati Samiti  
of the Chittagong Hill Tracts of Bangladesh on Land and Resources

Madame Chairperson, Members of the Working Group, Indigenous Brothers and  
Sisters, Ladies and Gentlemen:

As this is the first time I am addressing the Working Group, let me introduce myself.  
I am a Member of the Central Committee of the Jana Samhati Samiti (JSS) which  
recently concluded an accord on self-government for the Chittagong Hill Tracts  
region, in Bangladesh. I bring greetings to you all from the Jumma people and the  
JSS. It gives me great pleasure to be here at this meeting.

We are aware that the CHT Accord of 1997 may not fulfil all the aspirations of the  
Jumma people. However, it is an important step towards the re-establishment of self-  
rule of the indigenous peoples, and contains the following important issues with  
regard to our land rights and the rehabilitation of displaced people, namely:

- a) the Rehabilitation of International Refugees and Internally Displaced  
People;
- b) the settlement of disputes by the proposed Commission on land; and
- c) the responsibilities of the district and regional councils with regard to  
resource management and resource rights.

We are very concerned that the implementation of the above provisions of the  
Accord is being delayed and has led to much discontent.

1. Although Jumma refugees, numbering about 70,000 people, were repatriated  
to the CHT after their exile in refugee camps in India over the last five years, a  
significant number have not been rehabilitated in their original homes and lands,  
which are now under the possession of non-indigenous government-sponsored  
settlers.

2. The internally displaced indigenous people, who number more than 100,000  
are yet to be rehabilitated in their own homes and lands. Many of these lands are  
now under the possession of non-indigenous government-sponsored settlers.  
Although a *Task Force* on refugees and internally displaced people has been  
instituted under the chairmanship of a local member of parliament, besides starting  
to prepare a list of the displaced people, nothing of substance has been done to  
either provide financial to them or to rehabilitate them in their original homes and  
lands.

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We are also seriously concerned that the Task Force is attempting to identify the non-indigenous government-sponsored settlers within the category of internally displaced people, violating the letter and spirit of the CHT Accord. This may lead to the legal recognition of these settlers as residents of the CHT and as legal owners of lands which rightfully belong to the indigenous peoples.

3. Much remains to be done to initiate legislation to provide necessary authority to the District Councils on resource management, as agreed upon in the Accord and to start the functions of the Land Commission to deal with disputes regarding the occupation of indigenous lands by the settlers. It is imperative that the commission take into account the customary land rights of the indigenous peoples, and in particular, their collective and common rights over lands, forests and other territories.

We hope that the above matters will receive their due attention so that they may be resolved in consultation with the CHT Regional Council in terms of the letter and spirit of the CHT Accord of 1997.

Another serious issue is the presence of the non-indigenous government-sponsored settlers from outside the CHT who are occupying indigenous lands. There is clear evidence to suggest that a large number of the settlers are willing to be repatriated and rehabilitated outside the CHT as long as they are provided with adequate financial and other assistance. Therefore, comprehensive measures should be taken to encourage their repatriation and rehabilitation in places outside the CHT in order to facilitate their rehabilitation and the restitution of the lands of the indigenous peoples.

In this regard, it is worth mentioning that the European Parliament has offered financial assistance to the Government of Bangladesh to repatriate these settlers outside the CHT on more than one occasion. It is unfortunate that this offer has been summarily rejected by the Government of Bangladesh.

Thank you very much, Madame Chairperson.